

REMARKS**Claim Objection - 37 CFR §1.75(c)**

Claim 20 was objected to as being of improper dependent form and for being incorrectly identified. Claim 20 has been cancelled.

Claim Rejection - 35 USC §112

Claims 1 and 2-22 were rejected as indefinite. Claim 1 has been amended to recite an isothermal amplification in the body of the claim.

Claim Rejections – 35 USC §102

Claims 1, 3-5, 7-8 and 11-17 were rejected as anticipated by Caskey et al. Claim 1 has been amended to delete the word “about.” Caskey et al. do not disclose a detector primer as presently claimed. That is, Caskey et al. does not disclose a detector primer having a diagnostic nucleotide which is “two to four nucleotides” from the 3’ terminal nucleotide. Since each element of the present claims is not disclosed by Caskey et al., withdrawal of the rejection is respectfully requested.

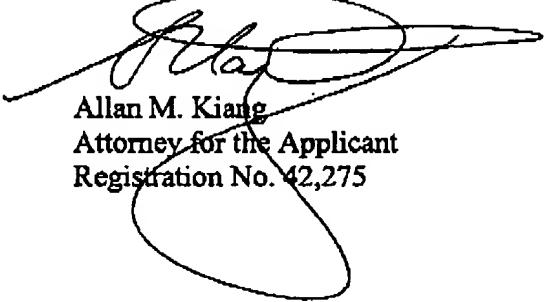
Claim Rejections – 35 USC §103

Claims 6 and 18-22 were rejected as obvious over Caskey et al. in view of Whitcombe et al. Caskey et al. does not disclose a detector primer having a diagnostic nucleotide which is “two to four nucleotides” from the 3’ terminal nucleotide. The secondary reference, Whitcombe et al., adds no additional teachings which would enable one of ordinary skill in the art to practice the presently claimed invention. Accordingly, withdrawal of the rejection is respectfully requested.

Conclusions

The claims of the present application are believed to be in condition for allowance, and early notice thereof is respectfully requested.

Respectfully submitted,



Allan M. Kiang
Attorney for the Applicant
Registration No. 42,275

Becton Dickinson and Company
1 Becton Drive
Franklin Lakes, New Jersey 07416
(201) 847-7111

doc#87407